

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD C. SPRUEL JR.,

Plaintiff,

V.

HAROLD CLARKE *et al.*

Defendants.

Case No. C06-5021RJB

ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANT'S
MOTION FOR RECONSIDERATION

This action, brought pursuant to 42 U.S.C. 2000, has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Before the court is defendant's motion for reconsideration of the order extending discovery and renoting a motion to dismiss at the Fed. R. Civ. P. 12 (c) stage (Dkt. # 49).

Defendants ask that discovery be stayed until after the motion to dismiss is heard or in the alternative that defendants motion to dismiss be withdrawn and the dispositive motion deadline be extended (Dkt. # 49).

The court has considered defendants motion. The defendants motion to dismiss, (Dkt. # 42), is withdrawn. Dispositive motions in this case will be due on or before **March 2, 2007**. The Joint

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1 Status Report due date will also be moved back until **June 15th, 2007**.

2 The clerk's office is directed to send copies of this order to plaintiff and counsel for
3 defendants. The Clerk's office should remove (Dkt. # 42) from the court's calendar, note the
4 **March 2, 2007** dispositive motion cutoff date and the **June 15th, 2007** Joint Status Report due date.

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DATED this 31, day of January, 2007.

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/S/ J. Kelley Arnold

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J. Kelley Arnold

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United States Magistrate Judge

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